

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
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U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
EAST. DIV. COLUMBUS

UNITED STATES OF AMERICA,

Plaintiff,

v.

TIMOTHY E. BAGEANT,

Defendant.

CASE NO.
JUDGE

2 : 16 cr 090

Judge Smith

**GOVERNMENT'S PLEA AGREEMENT SUBMISSION OF
ELEMENTS AND PENALTIES FOR 18 U.S.C. § 2252(a)(4)(B)**

I. ELEMENTS: 18 U.S.C. § 2252(a)(4)(B)

- First:** The defendant knowingly possessed one or more matters which contained any visual depiction of a minor engaged in sexually explicit conduct;
- Second:** Such visual depiction had been mailed, shipped, or transported in interstate or foreign commerce, by any means, including by computer, or was produced using materials which had been so mailed, shipped, or transported;
- Third:** That the production the visual depiction involved the use of a minor engaging in sexually explicit conduct and the visual depiction was of such conduct;
- Fourth:** The defendant knew that the visual depiction involved the use of a minor engaging in sexually explicit conduct; and
- Fifth:** Such acts occurred in whole or in part within the Southern District of Ohio.

II. PENALTIES

- A. Mandatory Minimum: None.
- B. Possible Maximum: 10 years in prison, a fine of \$250,000, minimum of 5 years of supervised release to a maximum term of life, and a \$100 special assessment.

Respectfully submitted,

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